

REMARKS

In the specification, paragraph [0001] is amended to update the related application information.

Prior to entry of this amendment, Claims 1-46 were pending in the application. By this amendment, no claims are amended, added, or cancelled. Hence, Claims 1-46 are currently pending in the application.

SUMMARY OF THE REJECTIONS/OBJECTIONS

Claims 1-11, 17-20, 22, 24-30, 35, 36 and 43-46 were rejected under the doctrine of non-statutory obviousness-type double patenting, as unpatentable over claims from U.S. Patent No. 6,412,007; and Claim 37 was rejected under 35 U.S.C. § 102 as allegedly anticipated by U.S. Patent No. 6,412,007.

Claims 12-16, 21, 23, 31-34 and 38-41 were objected to as depending on rejected base claims, with an indication of allowability if rewritten to include all the limitations of the base claim and any intervening claims.

The status of Claim 42 was not addressed in the Office Action and, therefore, is unknown.

THE DOUBLE PATENTING REJECTION

A Terminal Disclaimer to Obviate a Double Patenting Rejection Over a Prior Patent ("Terminal Disclaimer") in compliance with 37 CFR 1.321(c) is filed as an attachment herewith. In the Terminal Disclaimer, the owner of this application, Cisco Technology, Inc., generally disclaims the terminal part of the statutory term of any patent granted on this application, which would extend beyond the expiration date of commonly owned prior Patent

No. 6,412,007. Hence, the double patenting rejection is overcome and withdrawal of this rejection of Claims 1-11, 17-20, 22, 24-30, 35, 36 and 43-46 is requested.

THE ANTICIPATION REJECTION

Claim 37 was rejected as allegedly anticipated by Claim 27 of U.S. Patent No. 6,412,007. This rejection is traversed.

This application is a continuation of and claims the benefit of priority to U.S. Patent Application Serial No. 09/231,926, now issued as U.S. Patent No. 6,412,007 (“the ‘007 patent”). The inventive entity for this application is the same inventive entity as for the ‘007 patent. The subject matter recited in Claim 37 was fully disclosed in the ‘007 patent and, therefore, Claim 37 deserves the benefit of priority to the filing date of the ‘007 patent. Consequently, Claim 37 and Claim 27 of the ‘007 patent have the same effective filing date. Hence, Claim 27 of the ‘007 patent is not prior art and cannot anticipate Claim 37 of this application. Withdrawal of this rejection of Claim 37 is requested.

CONCLUSION

For the reasons set forth above, it is respectfully submitted that all of the pending claims (1-46) are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please charge any shortages or credit any overages to Deposit Account No. 50-1302.

Respectfully submitted,

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Date: 6/7/05

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Attachment: Terminal Disclaimer to Obviate a Double Patenting Rejection Over a Prior Patent

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

on 6/7/05 by Darci Sakamoto
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